

The Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

NINTENDO OF AMERICA INC.,

Plaintiff,

v.

DOES 1-20, d/b/a, ANXCHIP.COM,
AXIOGAME.COM, FLASHCARDA.COM,
MOD3DSCARDS.COM, NX-CARD.COM,
SXFLASHCARD.COM, TXSWITCH.COM,
and USACHIPSS.COM,

Defendants.

NO. 2:20-cv-00738-TSZ

PLAINTIFF'S MOTION FOR ENTRY
OF DEFAULT

NOTE ON MOTION CALENDAR:
AUGUST 11, 2020

Pursuant to Federal Rule of Civil Procedure ("Rule") 55(a) and Local Civil Rule 55(a), Plaintiff Nintendo of America Inc. ("Nintendo") hereby moves the clerk to enter default against all defendants.

Due to the impossibility of serving Defendants by traditional means, Nintendo filed a Motion to Serve Process by Alternative Means. Dkt. 15. This Court granted the motion, allowing Nintendo to serve Defendants via email. Dkt. 20. Per the Court's Order, Nintendo served the Summons and Complaint via email on each Defendant on July 16, 2020. Dkt. 21.

Pursuant to Rule 12(a)(1)(A)(i), Defendants were required to respond to the Complaint within 21 days, which as applied here required Defendants to answer or otherwise defend by August 6, 2020. Nintendo has not received an answer or other response to the Complaint from any Defendant. *See* Declaration of Alison I. Stein, filed herewith.

Nintendo thus respectfully requests that this Court enter Default against all Defendants.

DATED this 11th day of August, 2020.

Respectfully submitted,

**GORDON TILDEN THOMAS &
CORDELL LLP**

Attorneys for Plaintiff Nintendo of America Inc.

s/ Michael Rosenberger

Michael Rosenberger, WSBA #17730
Michael Brown, WSBA #45618
600 University Street, Suite 2915
Seattle, WA 98101
Telephone: 206.467.6477
mrosenberger@gordontilden.com
mbrown@gordontilden.com

Respectfully submitted,

JENNER & BLOCK LLP

Attorneys for Plaintiff Nintendo of America Inc.

s/ Alison I. Stein

Alison I. Stein (*Pro Hac Vice*)
Cayman C. Mitchell (*Pro Hac Vice*)*
919 Third Avenue, 38th Floor
New York, NY 10022
Telephone: 212.891.1600
astein@jenner.com
cmitchell@jenner.com

Christopher S. Lindsay (*Pro Hac Vice*)
633 West 5th Street, Suite 3600
Los Angeles, CA 90071
Telephone: 213.239.5100
clindsay@jenner.com

**Admitted only in Massachusetts, not admitted in New York. Practicing under the supervision of the partnership of Jenner & Block, LLP*